

REMARKS

Claims 1-17 are pending in this application. By this Amendment, independent claims 1, 10 and 15 are amended to even further distinguish over the applied references. Support for the amendments to independent claims 1, 10 and 15 can be found, for example, in Fig. 15 of the application. No new matter is added. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicants' representative by Examiners McClain and Makey at the interview held July 8, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

The Office Action rejects claims 1-14, 16 and 17 under 35 U.S.C. §102(b) over Stier, WO 99/47362 A1. The rejection is respectfully traversed.

As agreed during the interview, Stier does not disclose a package member having a flap member in which, when a flap member is in an open state with the flap member folded back down so as to be adjacent and parallel to a second side of the package member, a first side of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, the edge defining a distal-most continuous boundary of the package member extending substantially a full width of the package member, as recited in independent claim 1 and similarly recited in independent claim 10.

Stier discloses a paper cartridge that is foldable between open and closed states (see Figs. 4, 5 and 7). The paper cartridge in Stier is composed of a paperboard blank 20 that has a top panel 24, a bottom panel 22 and locking flap 26 (see Fig. 8 and page 4, lines 17 and 18). Locking flap 26 can be inserted into slot 36 to fix the paper cartridge in an open state (see Fig. 8). However, as discussed during the interview, when in the open state the portion of the

paper cartridge that is on the side opposite to the side with locking flap 26 inserted into slot 36 does not form a distal-most continuous boundary of the paper cartridge due to extending portions 124 (see Figs. 7, 8 and 10). Instead, Fig. 7 of Stier illustrates that two extending portions 124 on the opposite side of the paper cartridge define a non-continuous boundary of the paper cartridge that do not extend the entire width of the paper cartridge. Therefore, Stier does not disclose a package member having a flap member in which, when a flap member is in an open state with the flap member folded back down so as to be adjacent and parallel to a second side of the package member, a first side of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, the edge defining a distal-most continuous boundary of the package member extending substantially a full width of the package member, as recited in independent claim 1 and similarly recited in independent claim 10. Therefore, independent claims 1 and 10 and dependent claims 2-9, 11-14, 16 and 17 are patentable over Stier. Thus, it is respectfully requested that the rejection be withdrawn.

Furthermore, there is no reason in the prior art to modify Stier to result in the features of claims 1 and 10. Thus, it would not have been obvious to modify Stier to result in the features of claims 1 and 10.

The Office Action rejects claim 15 under 35 U.S.C. §103(a) over Stier in view of Ishiduka et al. (Ishiduka), U.S. Patent No. 6,217,019. The rejection is respectfully traversed.

The combination of Stier and Ishiduka does not disclose, and would not have rendered obvious, a package member having a flap member in which, when the flap member is in an open state with the flap member folded back down so as to be adjacent and parallel to a second side of the package member, a first side of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, the edge defining a distal-most continuous boundary of the package

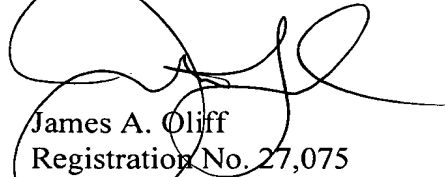
member extending substantially a full width of the package member, as recited in independent claim 15.

As agreed during the interview and as discussed above, the side opposite to the side with locking flap 26 inserted into slot 36 does not form a distal-most continuous boundary of the paper cartridge due to extending portions 124, which do not do not extend the full width of the paper cartridge. Therefore Stier does not disclose all of the features of independent claim 15. Ishiduka fails to overcome the deficiencies of Stier, and is only cited for disclosing the claimed indicator part. Therefore, the combination of Stier and Ishiduka does not disclose, and would not have rendered obvious, a package member having a flap member in which, when the flap member is in an open state with the flap member folded back down so as to be adjacent and parallel to a second side of the package member, a first side of the package member completely covers and extends completely along an edge at an end of the package member where the flap member is disposed, the edge defining a distal-most continuous boundary of the package member extending substantially a full width of the package member, as recited in independent claim 15. Furthermore, it would not have been obvious to modify Stier/Ishiduka to result in the features of claim 15 because there is no reason in the prior art to do so. Therefore, independent claim 15 is patentable over the combination of Stier and Ishiduka. Thus, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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